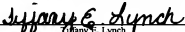


10582447 08 JUN 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
)
Serial No.: Not yet assigned)
)
Inventor: McAuley and Milivojevic)
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Filed: Herewith)
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For: BREATHING)
ASSISTANCE)
APPARATUS)
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Atty Ref.: 1170/45164/158-PCT-US)

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Commissioner for Patents
P.O. Box 1450
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Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant submits the present Information Disclosure Statement and Form PTO/SB/08A.

This Information Disclosure Statement is being filed concurrently with the patent application and constitutes a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

In accordance with 37 CFR §1.98(2)(ii) Applicant has not included copies of the United States patents/applications.

In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56

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exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

Should the Examiner believe a fee is required, the United States Patent and Trademark Office is hereby authorized and requested to charge the fee to the deposit account of the undersigned firm, Account No. 20-1495.

Respectfully submitted,

Dated: June 8, 2006

By: 

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10582447 06/08/2006

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STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	Not Yet Assigned
Filing Date	Herewith
First Named Inventor	Alastair Edwin McAuley
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	1171/45167/170-PCT-US

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	US-	5243971	09/14/1993	Sullivan et al.	
	US-	6112746	09/05/2000	Kwok et al.	
	US-	5570689	11/05/1996	Starr et al.	
	US-	6634358	10/21/2003	Kwok et al.	
	US-	6581602	06/24/2003	Kwok et al.	
	US-	2003/0196658	10/23/2003	Ging et al.	
	US-	5441046	08/15/1995	Starr et al.	
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FOREIGN PATENT DOCUMENTS					
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		Country Code ³ Number * Kind Code ⁴ (if known)			T ⁵
		WO 00/78384	12/28/2000	Resmed Limited	
		WO 1998/004310	02/05/1998	Resmed Limited	
		EP 1258266	11/20/2002	Tiara Medical Systems Inc	
		EP 0427474	05/15/1991	Smiths Industries Medical	
		WO 01/97893	12/27/2001	Resmed Limited	
		WO 2004/007010	01/22/2004	Fisher & Paykel Healthcare	

Examiner Signature	/Rachel Young/	Date Considered	07/20/2009
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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